

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA

Case No. 1:20-cr-117-JMS-DML-1

v.

GORDON WILSON

ORDER ON MOTION FOR
SENTENCE REDUCTION UNDER
18 U.S.C. § 3582(c)(1)(A)
(COMPASSIONATE RELEASE)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion is:

☐ DENIED.

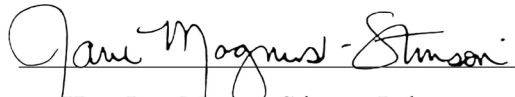
☒ DENIED WITHOUT PREJUDICE. Defendant filed a pro se motion that the Court construes as a Motion for Compassionate Release under 18 U.S.C. § 3582(c)(1)(A). Defendant's motion does not provide the Court with sufficient information to determine whether it should grant compassionate release under § 3582(c)(1)(A). Specifically, while Defendant contends that he suffers from certain medical conditions that increase his risk of experiencing severe symptoms if he contracts COVID-19, he does not explain whether he has received or been offered the COVID-19 vaccine, which would reduce his risk of contracting COVID-19. Likewise, while Defendant contends that he tested positive for COVID-19 in January 2021, he does not explain whether he has recovered from the virus and, if not, what symptoms he is currently experiencing and how, if at all, they affect his ability to engage in daily activities. Finally, Defendant was sentenced in October 2020, at which time the Court was fully aware of the risks associated with

COVID-19, but Defendant has not explained what, if any facts, have changed since his sentencing. Such information is pertinent to the Court's evaluation of whether Defendant has presented an "extraordinary and compelling reason" warranting a sentence reduction under § 3582(c)(1)(A)(i). Accordingly, Defendant's motion, dkt. [49], is **denied without prejudice**.

If Defendant wishes to renew his motion, he may do so by completing and returning the attached form motion. (Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(1)(A) (Compassionate Release) (Pro Se Prisoner)). Among other things, the form requires Defendant to explain whether he has received or been offered the COVID-19 vaccine. When he completes the form, Defendant should also address the other issues identified above.

IT IS SO ORDERED.

Date: 6/22/2021


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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